

## MINUTES

### CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

MAY 18, 2009

The City Plan Commission/Architectural Review Board of the City of Clayton, Missouri, met upon the above date at 5:30 p.m., Chairman Harold Sanger presiding. Upon roll call, the following responded:

#### Present:

Chairman Harold Sanger  
Steve Lichtenfeld, Aldermanic Representative  
Lenore Toser-Aldaz, Deputy City Manager  
Marc Lopata  
Scott Wilson

#### Absent:

Jim Liberman  
Ron Reim

#### Also Present:

Catherine Powers, Director of Planning & Development Services  
Jason Jaggi, Planner  
Kevin O'Keefe, City Attorney (arrived at 5:55 p.m.)

Chairman Sanger welcomed everyone to the meeting and asked that conversations not take place during the meeting and that all cell phone and pager ringers be turned off. He noted that since there are only 5 members in attendance this evening, an affirmative vote of at least 3 members must be received for a motion to pass. He informed the applicants that they could request a postponement to a future meeting if they so desired in the anticipation of a full compliment of the Board.

## MINUTES

The minutes of the May 4, 2009 meeting were presented for approval. The minutes were approved, after having been previously distributed to each member.

REQUEST FOR EXTENSION (SITE PLAN APPROVAL OF ENTIRE PROJECT AND ARCHITECTURAL APPROVAL OF THE GARAGE STRUCTURE ONLY) – MIXED-USE PROJECT – 25, 103, 111 & 119 NORTH CENTRAL AVENUE (RJ YORK HOTEL PROJECT)

Catherine Powers noted that a letter was received by the City from Ms. Suzie Forsyth asking that consideration of this approval extension be continued to the next meeting (June 1<sup>st</sup>). Catherine explained that this project consists of consists of 225 hotel rooms, 40 residential units and 22,118 square feet of ground floor retail area and 462 parking spaces. She stated that the Plan Commission approved the site plan for the entire project at its June 2, 2008 meeting and that the Architectural Review Board approved the architectural aspects of the garage/parking structure only at its June 2, 2008 meeting.

Chairman Sanger stated that the inclination here is to postpone this request until the next meeting. He then asked for a motion.

Steve Lichtenfeld made a motion to postpone consideration of the approval for extension of the site plan approval to the meeting of June 1<sup>st</sup>. The motion was seconded by Scott Wilson and unanimously approved by the members.

Steve Lichtenfeld made a motion to postpone consideration of the approval for extension of the architectural approval (garage structure only) to the meeting of June 1<sup>st</sup>. The motion was seconded by Scott Wilson and unanimously approved by the members.

#### AMENDMENT TO PREVIOUSLY APPROVED SITE PLAN – NEW SINGLE FAMILY RESIDENCE – 405 CARSWOLD

Scott Runyan, developer, was in attendance at the meeting.

Catherine Powers explained that the plans (approved December 17, 2007) contained a rear turnaround constructed of permeable concrete leading to the garage. The applicant is now requesting that the exposed aggregate, as poured, be allowed to remain. A review of the meeting minutes indicates that at its initial consideration, the Plan Commission had concerns with this proposal related to size of the structure, lot coverage, and compatibility with the neighborhood. The applicant presented a revised plan at the December 17, 2007, meeting which reduced the footprint of the house and showed a pervious concrete turnaround. The Plan Commission voted in favor of this revised site plan at its December 17, 2007 meeting. Catherine noted that during a construction inspection, it was revealed that the rear turnaround was constructed of exposed aggregate concrete rather than permeable concrete, not in accordance with approved plans. The applicant is requesting approval of a revised site plan which shows the existing exposed aggregate concrete turnaround to remain. To address concerns with runoff from the driveway, a trench drain connected to the storm sewer is proposed along with a curb at the back of the turnaround. The applicant submitted a letter providing justification for the driveway to be built without using permeable concrete for the rear turnaround including difficulty of installation, unfamiliarity of the product, and the owners-under-contract not wanting the material. Catherine stated that the homeowners are aware of the City's concerns with the turnaround not being built as approved by the Plan Commission. In response to the issue, the homeowners provided a letter to the Plan Commission indicating that they were not aware that the change in the turnaround materials had not been approved by the City. The letter indicates that they would like the turnaround to remain, but are amicable to the Plan Commission's determination on the issue. Staff has reviewed the request for an amendment and believes that the turnaround should be installed with permeable concrete or

permeable pavers as originally approved by the Plan Commission. Several new single family projects have been required to install these types of turnarounds to mitigate the increase in impervious coverage (in this case, an increase from 36.4% to 51.8%) and runoff. Staff recommends that the Plan Commission deny the amendment and require that the rear turnaround be constructed of permeable concrete, or as an alternative, permeable pavers, as originally approved by the Plan Commission.

Mr. Runyan introduced himself and distributed a copy of a letter he received from the supplier (Klopstein Concrete Company) which indicates their unwillingness to warranty a pervious concrete product.

Catherine Powers advised the Plan Commission that staff is not aware of this letter.

Chairman Sanger noted that this is an after-the-fact request and that Mr. Runyan went against the Plan Commission's approval.

Mr. Runyan stated that this situation began when the driveway was initially being poured and the installers stated that there may be an issue with a pervious concrete product long-term. He stated that he stands by his products for 10 years, not 1 year, and that due to the tight time frame for construction, he allowed the exposed aggregate to be used.

Chairman Sanger asked Mr. Runyan if he took a gamble.

Mr. Runyan replied "yes". He then stated that he told Dan {Meehan} (City Building Inspector) of the change prior to the pour.

Catherine Powers concurred. She stated however, Dan advised the installers not to pour the unapproved material.

Chairman Sanger asked that the end result be discussed.

Catherine Powers informed the members that storm water for this property is connected to the storm sewer and that she does not believe run-off will be an issue for the neighbors; however, more water will go into the storm sewer without the pervious material.

Mr. Runyan apologized. He stated that his specialty is infill housing on smaller lots and that he understands the situation here and the concern of storm water running onto adjacent properties, but that he is very selective of his inventory and is aware of run-off issues and topography. He stated that he would not have done what he did if he thought it would adversely impact anyone.

Chairman Sanger asked if a fine can be imposed.

Catherine Powers indicated that the Municipal Court, not this Commission, can impose a fine of up to \$500.00.

Steve Lichtenfeld indicated that he believes the permeable material was initially desired to lessen the water that goes to the storm sewer and as such, he wants the permeable material to be installed.

Marc Lopata asked if this was the property that had the survey issue.

Jason Jaggi replied “yes”.

Marc Lopata asked if this was also a property where work began without a permit.

Jason Jaggi replied “yes”.

Marc Lopata stated that he agrees with Steve Lichtenfeld. He stated that this project resulted in a large increase in impervious coverage and that pervious paving was accepted by the developer to mitigate the increase in storm water.

Scott Wilson stated that he hates to see things undone and that he looked at the driveway and believes it will drain well. He stated that he would prefer consideration of a middle ground (i.e. a moratorium on this developer building here for 1 year or a site improvement bond). He stated that he typically concurs with staff’s recommendations, but in this case, the owners are impacted by this situation as well.

Mr. Runyan stated that he talked with MSD and that this property is tied into a 48” storm drain. He again apologized and stated that he is aware he made a mistake.

Chairman Sanger stated that he agrees with Scott Wilson and would hate to see it torn out. He asked if it could go to court and Mr. Runyan be assessed a fine.

Catherine Powers stated that she does not believe this Commission can mandate a moratorium, although the City Attorney is not here at this time to confirm that. She stated that staff is concerned about this setting a precedent and that a \$500 fine is minimal.

Scott Wilson commented that if this situation put the coverage over the maximum allowed, then he would definitely concur with staff’s recommendation that it be torn out and re-done per the approved plans.

Lenore Toser-Aldaz stated that she, too, is concerned about setting a precedent and that it seems as though the entire Plan Commission approval hindered on that portion of the driveway being constructed of pervious material.

Being no further questions or comments, Steve Lichtenfeld made a motion to deny the amendment and require that the turn-around portion of the driveway be torn out and reconstructed with a permeable material to be approved by staff. The motion was seconded by Marc Lopata and received the following roll call vote: Ayes: Steve Lichtenfeld, Marc Lopata, Lenore Toser-Aldaz. Nays: Chairman Sanger and Scott Wilson. Motion carries.

ARCHITECTURAL REVIEW - NEW CONSTRUCTION - ADDITION TO SINGLE FAMILY RESIDENCE – 7640 WALINCA

Mr. James Fong, representing the owners, was in attendance at the meeting.

Catherine Powers explained that the proposed 1 ½ story, 839 square foot addition to the existing 1 ½ story, 2,040 square foot structure (painted brick and sided) will be located in the middle/rear of the house in place of an existing deck. The portion removed includes the garage. The proposed addition consists of a new family room on the main level and a master bedroom suite on the upper level. Catherine noted that site plan review is not required because the addition is less than 50% of the square footage of the existing structure. The proposed addition is brick painted white to match the existing residence. Small amounts of siding on the gables and EIFS for the shed dormers are proposed. The location of these materials matches that of the existing residence. The height of the addition will be 27.5 feet from the lowest grade to the ridge. The windows are proposed to be double hung white vinyl with the brick moulds painted black. The proposed roof will be asphalt shingles, charcoal gray to match existing. The HVAC unit is shown on the back of the house. Screening is not shown. Trash is shown stored behind a masonry wing wall adjacent to the driveway on the west side of the house. The trash area is not shown as fully enclosed. Proposed impervious coverage is 46%. The addition will occupy most of the area now used as a deck and patio and staff estimates that the addition will add 95 square feet of additional coverage. As shown, the plans comply with impervious coverage and setback provisions of the Zoning Ordinance. In addition, the applicant has submitted Wydown Forest Trustee approval for this project. Catherine stated that the amount of siding and EIFS is limited and matches the placement of the existing residence; however, for residential applications, staff prefers the use of genuine stucco as opposed to the proposed EIFS material. As required by the Architectural Review Guidelines, the trash enclosure and HVAC units are to be fully screened. Catherine stated that staff recommends approval with the following conditions:

1. That genuine stucco be used instead of EIFS.
2. That the trash enclosure and HVAC units be fully screened per staff review and approval.

Mr. Fong informed the members that he was asked by the owners to make this presentation as they were unable to attend this meeting. Mr. Fong stated that there is an existing enclosure for the trash.

Chairman Sanger asked if the trash is completely enclosed.

Mr. Fong replied “no”; he stated it is “hidden”.

Chairman Sanger asked if the owners were willing to enclose the trash area as recommended by staff.

Mr. Fong replied “yes”. He stated that with regard to the EIFS, there is a concern with the use of brick due to weight issues. An elevation was presented. Mr. Fong depicted the area of the structure where the EIFS is proposed.

Note: Kevin O’Keefe arrived at 5:55 p.m.

Mr. Fong indicated that using stucco on a wood beam is also of concern. He stated that EIFS no longer has a “sprayed-on” look and that there is very little difference between this proposed material and stucco.

Catherine Powers stated that staff’s contention is that EIFS has not worked well for residential applications and that it has not proven to do well in the St. Louis area.

Steve Lichtenfeld asked if the same licensed applicators would install both residential and commercial.

Catherine Powers replied “probably not”.

Mr. Fong stated that there are good and bad stucco applicators as well and that EIFS will add a tremendous amount of installation to the building. He reminded the members that this EIFS is proposed for the second story.

Scott Wilson asked the percentage of the total area of EIFS.

An unidentified man in the audience indicated that the area of EIFS proposed is minimal – 6’ X 18’.

Scott Wilson commented that the area is so small, even if it is not well done, it will be difficult to tell.

Marc Lopata stated that he does not have a strong opinion either way and suggested that the City look at new technologies.

Mr. Fong indicated that EIFS is now more like stucco and stucco is more like EIFS.

Marc Lopata asked if EIFS is forbidden by the ARB.

Catherine Powers replied “no”; it is a guideline. She asked that if the EIFS is approved, a deeper relief be provided.

Mr. Fong agreed.

Marc Lopata began to introduce a motion.

Mr. Fong interrupted the motion to inform the members of a problem using brick on a portion of the rear elevation. He asked if EIFS could be used there as well. An elevation was presented and Mr. Fong pointed out the area that he was referring to.

Catherine Powers commented that if that area is also EIFS, it will look “disconnected”.

Steve Lichtenfeld agreed and stated that it should be brick for consistency. The remaining members agreed.

Mr. Fong was instructed that brick had to be used there.

Marc Lopata made a motion to approve per staff recommendation No. 2 (that the trash area and HVAC units be fully screened per staff review and approval) and staff’s approval of the EIFS application. The motion was seconded by Scott Wilson and unanimously approved by the Board.

ARCHITECTURAL REVIEW - NEW CONSTRUCTION – ADDITION/RENOVATION TO SINGLE FAMILY RESIDENCE – 6465 ELLENWOOD (WASHINGTON UNIVERISTY PROPERTY)

Ms. Holly Lloyd, project architect, was in attendance at the meeting.

Catherine Powers explained that the one story, 978 square foot addition, to accommodate a 2 car garage, laundry room and hallway, will be located on the rear of the house and an existing portion of the building, including the garage, will be removed to accommodate the addition. The existing home is a brick, approximately 5,832 square foot two-story structure located in the Tesson Subdivision. Catherine indicated that site plan review is not required because the addition is less than 50% of the square footage of the existing structure. The addition will be red brick to match the existing residence. The height of the addition will be 17.5 feet from grade to the ridge of the hipped roof. The windows are proposed to be double hung and casement white in color to match existing. The existing roof is on the main portion of the house is gray slate, while the existing rear garage is a flat bitumen roof. The proposed sloped roof on the addition is an asphalt shingle faux slate, gray in color. On the east elevation, the existing family room addition brick walls will be removed and replaced with a limestone veneer base and pilasters. The proposed HVAC units are shown within a recessed area off the rear of the house and screened with a 4-foot high cedar fence. Trash is shown stored within an existing enclosure located off the driveway and screened with a wood fence. The existing impervious coverage area is 28.5%. After completion of the addition, the impervious coverage area will be 28.9%. Catherine indicated that staff recommends approval as submitted.

Ms. Lloyd presented photographs of the existing residence and explained what portion of the structure is to be demolished (breakfast room & 2 car garage). She indicated that the project includes a 1 story addition that will accommodate a new 2 car garage and renovating the north and east walls of the existing family room. A site plan was presented depicting the driveway which is slightly enlarged. She stated that the HVAC units are located behind the porch so they are not visible from the street. Exterior elevations were presented. Ms. Lloyd indicated that the garage will have a hip roof and the family room will have windows rather than a wall.

Steve Lichtenfeld stated that it looks good.

Scott Wilson agreed.

Marc Lopata asked the use of the property.

Ms. Lloyd stated that it is used as a residence.

Ms. Cindy Johnson, 6450 Ellenwood, stated that the proposed addition/renovation looks nice. She stated that her concern is the workmen not parking their construction vehicles on the north side of Ellenwood and construction taking place before 7 a.m. and after 6 p.m.

City Attorney O'Keefe stated that it is difficult to restrict parking on a public street as there is no ordinance in place to enforce such.

Chairman Sanger indicated that Washington University representatives can be requested to ask their workmen not to park on the south side of Ellenwood.

Ms. Sally Cohen asked if the new, higher roofline of the garage will obstruct 2<sup>nd</sup> floor windows.

Ms. Lloyd stated that the new garage roof is actually not higher than the original. Ms. Lloyd showed Ms. Cohen some related photographs.

Samples of the brick (McAvoy), limestone and clad window were presented. Ms. Lloyd noted that the kitchen windows are casement and the garage and family room windows are double hung.

Marc Lopata asked the U-Value of the windows.

Ms. Lloyd indicated that she did not have that information.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve as submitted with the condition that Washington University request their workmen park their vehicles on the north side of Ellenwood and that the allowed construction hours of between 7 a.m. and 6 p.m. be enforced. The motion was seconded by Scott Wilson and unanimously approved by the Board.

#### INSTALLATION OF FLAGPOLES – CROWNE PLAZA HOTEL – 7750 CARONDELET AVENUE

Mr. Rna Whitnah, General Manager of the Crowne Plaza Hotel, was in attendance at the meeting.

Catherine Powers explained that the flags (2) will be 3 x 5 feet each - one containing the American flag and the other containing the Crowne Plaza logo. The flagpoles will be 8-feet in



length constructed of metal with a satin finish and attached to the front Porte cochere facing Carondelet Avenue. The flags will be illuminated using directed ground lighting. Catherine noted that the Sign Ordinance allows up to four (4) flagpoles on a commercial site, one of which can be a corporate logo. Catherine indicated that staff recommends approval with the conditions that only one (1) corporate flag be displayed and that the applicant apply for and receive a sign permit prior to installation.

Mr. Whitnah indicated that the flags will be similar to that displayed at the Sheraton.

Scott Wilson asked the length of the poles.

Mr. Whitnah stated that the poles will be 8 feet in length and placed at a 45-degree angle.

Chairman Sanger asked when the flags will be flown.

Mr. Whitnah stated that they will remain up.

Being no further questions or comments, Scott Wilson made a motion to approve per staff recommendations. The motion was seconded by Marc Lopata and unanimously approved by the Board.

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Scott Wilson referred to the vote regarding 405 Carswold and commented that the members do not always have to agree.

Chairman Sanger asked about the chimney in Davis Place (7727 Davis Drive).

Kevin O'Keefe informed the members that the owner has taken the matter to the St. Louis County Court.

Marc Lopata asked Catherine if staff has had a chance to review his e-mail regarding coverage.

Catherine Powers indicated that staff hopes to have some draft zoning amendments for presentation in July. She reminded the members that the Planning Department has a new intern starting at the end of the month who will focus on research projects.

Being no further business for the Plan Commission/Architectural Review Board, this meeting adjourned at 6:35 p.m.

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Recording Secretary